

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) F-678						
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</p> <p>on _____</p> <p>Signature _____</p> <p>Typed or printed name _____</p>	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%; padding: 5px;">Application Number 10/695,539</td><td style="width: 50%; padding: 5px;">Filed 10/28/2003</td></tr><tr><td colspan="2" style="padding: 5px;">First Named Inventor Easwaran Nambudiri</td></tr><tr><td style="padding: 5px;">Art Unit 2129</td><td style="padding: 5px;">Examiner K. Bharadwaj</td></tr></table>		Application Number 10/695,539	Filed 10/28/2003	First Named Inventor Easwaran Nambudiri		Art Unit 2129	Examiner K. Bharadwaj
Application Number 10/695,539	Filed 10/28/2003							
First Named Inventor Easwaran Nambudiri								
Art Unit 2129	Examiner K. Bharadwaj							
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <table style="width: 100%;"><tr><td style="width: 50%; vertical-align: top;"><p><input type="checkbox"/> applicant/inventor.</p><p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p><p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>43,748</u></p><p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p></td><td style="width: 50%; vertical-align: top;"><p><u>/Brian A. Lemm/</u> _____ Signature</p><p><u>Brian A. Lemm</u> _____ Typed or printed name</p><p><u>(203) 924-3836</u> _____ Telephone number</p><p><u>April 29, 2009</u> _____ Date</p></td></tr></table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			<p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>43,748</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p>	<p><u>/Brian A. Lemm/</u> _____ Signature</p> <p><u>Brian A. Lemm</u> _____ Typed or printed name</p> <p><u>(203) 924-3836</u> _____ Telephone number</p> <p><u>April 29, 2009</u> _____ Date</p>				
<p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>43,748</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</p>	<p><u>/Brian A. Lemm/</u> _____ Signature</p> <p><u>Brian A. Lemm</u> _____ Typed or printed name</p> <p><u>(203) 924-3836</u> _____ Telephone number</p> <p><u>April 29, 2009</u> _____ Date</p>							
<p><input type="checkbox"/> *Total of _____ forms are submitted.</p>								

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Claims 8-20, 22, 23 and 25-27 are pending in this application. Claims 8-20, 22, 23, and 25-27 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action contends that the term “print resolution characteristic” has not been defined in the specification, and it is not obvious to one of ordinary skill in the art as to which characteristics are being considered when the applicant claims “selected print resolution characteristic.” Applicant respectfully disagrees.

The Examiner’s attention is respectfully directed towards paragraphs [0027] – [0029] of the specification, which are reproduced below.

[0027] Fig. 2 is a flow chart that illustrates a process that may be performed by the processing and control block 26 of the printing apparatus 20. The process of Fig. 2 begins with a step 40 in which the processing and control block 26 selects a resolution characteristic to be employed in printing some or all of an indicium. The resolution characteristic may be represented, for example, by a horizontal resolution factor and a vertical resolution factor. For example, the print element 22 may be capable of printing with a certain maximum resolution (maximum dots per inch or dpi) in the horizontal and vertical directions. The maximum vertical resolution is limited by the size of the print head, while the maximum horizontal resolution is based upon the system design. The horizontal resolution factor may indicate a degree to which the actual horizontal resolution to be employed in printing the indicia or portion thereof is to be increased, whereas the vertical resolution factor may indicate a degree to which the actual vertical resolution to be employed in printing the indicia or indicia portion is to be increased.

[0028] The expression “HxVy” may be taken as an indication of a resolution characteristic of a printed image based on a source image bit map selected by the processing and control block 26, where “Hx” represents a horizontal resolution factor, i.e., transformation of each pixel in a horizontal direction, and “Vy” represents a vertical resolution factor, i.e., transformation of each pixel in a vertical direction. Thus, the expression “H1V1” indicates a resolution characteristic in which each pixel of the printed image corresponds to a pixel of the source image bit map. The expression “H2V1” indicates a resolution characteristic of the printed image in which the pixels in the horizontal direction are increased

by a factor of two, while there is no change to the pixels of the source image in the vertical direction. The expression "H1V2" indicates a resolution characteristic of the printed image in which the pixels of the source image are increased in the vertical direction by a factor of two, while there is no change to the pixels in the horizontal direction. The expression "H2V2" indicates a resolution characteristic of the printed image in which each pixel is increased in both the horizontal and vertical direction by a factor of two.

[0029] In some embodiments, the postage indicia printing apparatus 20 may be programmed to select only from among the four resolution characteristics H1V1, H2V1, H1V2 and H2V2. In other embodiments, the horizontal and/or vertical resolutions may be varied by factors other than two, and the number of potential choices of resolution characteristics may be greater than four. In still other embodiments, the number of potential choices of resolution characteristics may be less than four. In addition, in some embodiments the number of potential choices of resolution characteristics may be four although the possible degree of increase of horizontal and/or vertical resolution may be other than by a factor of two.

These paragraphs provide a clear description of a print resolution characteristic in such a way as to reasonably convey to one skilled in the art that the inventor, at the time the application was filed, had possession of the claimed invention. Applicant respectfully submits that all claims comply with the written description requirement of 35 U.S.C. §112.

In view of the foregoing remarks, it is respectfully submitted that the pending claims are in a condition for allowance and favorable action thereon is requested.